

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF GEORGIA
ROME DIVISION**

DAVID HENEGAR,)	
)	
<i>Plaintiff,</i>)	
)	Case No. 4:18-cv-00192-HLM
v.)	
)	
CINDY McDADE, et al.,)	JURY TRIAL DEMANDED
)	
<i>Defendants.</i>)	

PLAINTIFF'S MOTION TO COMPEL DISCOVERY RESPONSES

EXHIBIT 3

LOEVY & LOEVY

311 N. Aberdeen St., 3rd Floor, Chicago, Illinois 60607

April 16, 2019

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Re: *Henegar v. McDade, et al.*, No. 18 cv 192
Plaintiff's First Rule 37.1 Letter

Dear Counsel,

I write to follow up on Defendants' responses to Plaintiff's first set of requests for production. Namely, Defendants responded to several requests by stating that they would produce certain documents, but they have not yet done so.

In particular, Defendants stated that they would produce documents responsive to Plaintiff's Request for Production numbers 17, 18, and 19, requesting documents related to Defendants' job duties, personnel files, and credentials; number 28, requesting utilization management documentation; and number 39, requesting documents reflecting Defendants' time records. Plaintiff has not received any of these records. In addition, Plaintiff has not received the log books responsive to Plaintiff's request number 11. If I'm mistaken and you have produced these documents, please direct me to the Bates numbers. Otherwise, Defendants' responses were due on March 31, 2019. Please produce them by the end of this week. I do not want to have to delay depositions because we do not have these documents.

In addition, please confirm the following:

- Defendants have produced Plaintiff's complete institutional file in response to Request Number 5
- Defendants have produced everything they believe constitutes Plaintiff's medical records, mental health records, and utilization management records, in response to Request Number 7


Henegar v. McDade, et al.
Plaintiff's First Rule 37.1 Letter
Page 2 of 2

One thing to note: Defendants say in response to several of Plaintiff's requests that they will produce documents from only August and September 2015. Correct me if I'm wrong, but I assume Defendants mean to include documents from August and September 2016 (when Mr. Henegar's seizures occurred). I will write separately to address why this is not an appropriate temporal limitation, but in the meantime I want to confirm that Defendants are producing documents from around the time of Plaintiff's seizures and not the year before.

I will also write separately to explain why the several of Defendants' objections and responses to Plaintiff's first set of discovery requests are either not appropriate or not sufficient.

In the meantime, please contact me if you would like to discuss this further. I look forward to your response by April 19, 2019.

Regards,


Rachel Brady